IN THE UNITED STATES PATENT AND TRADEMARK OFFICE Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

> Prior Application Art Unit: 1743

Examiner: A. NOGUEROLA

Sir:

\_ Continuation <u>X</u> Divisional This is a request for filing a \_\_ application under 37 C.F.R. §1.53(b) of pending prior application Serial No. 09/424,715 filed November 29, 1999 of Shin Ikeda, Toshihiko Yoshioka and Shiro Nankai for METHOD FOR DETERMINING SUBSTRATE.

- Enclosed is a copy of the prior application including the oath or X\_ 1. declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 09/424,715 as originally filed on 11/29/99.
- A verified statement claiming small entity status 2. or \_\_\_ is on file in the prior application and such status is still proper and desired (37 C.F.R. §1.28(a)).
- Cancel in this application original claims 2-7 of the prior application before calculating the filing fee. At least one \_X\_ original independent claim is retained for filing purposes.
- A Preliminary Amendment is enclosed. The claims have been \_X\_\_ numbered consecutively beginning with the number following the highest numbered original claim in the prior application.
- The filing fee is calculated below: \_X\_

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- 6. X Please charge the amount of \$\frac{\$740.00}{\$100}\$ to cover the filing fee to Deposit Account No. 50-0417.
- 7. X The Commissioner is hereby authorized to charge any fees due under 37 C.F.R. §1.16 and any other fees due under 37 C.F.R. §1.17 during the pendency of Divisional Application Transmittal Letter is enclosed for accounting purposes.
- 8.  $\underline{X}$  Amend the specification by inserting before the first line, the following:
  - --This is a \_\_ continuation X divisional of application Serial No. 09/424,715, filed 11/29/99.--.
- 9. \_\_\_ Transfer the drawings from the prior application to this application and abandon the prior application as of the filing date accorded this application. An additional copy of this sheet is enclosed for filing in the prior application file.
- 10. X New formal drawings \_\_ are enclosed or X will be submitted at a later date.
- 11. X The prior application is assigned of record to Matsushita Electric Industrial Co., Ltd.
- 12. X Priority of Application No. PCT/JP99/01706, filed on 31MAR99, Application Serial No.: 10-089740, filed on 2APR98 and Serial No. 10-172766, filed on 19JUN98, all in Japan is claimed under 35 U.S.C. §119. A certified copy is enclosed or X is on file in the prior application.
- The power of attorney in the prior application is to at least one of the following: Raphael V. Lupo (Reg. No. 28,363); Jack Q. Lever, Jr. (Reg. No. 28,149); Kenneth L. Cage (Reg. No. 26,151); Michael E. Fogarty (Reg. No. 36,139); Brian E. Ferguson (Reg. No. 36,801) and Robert W. Zelnick (Reg. No. 36,976).
- 14. \_\_\_ A new power of attorney is enclosed.
- 15.  $\underline{X}$  The power appears in the original declaration of the prior application.
- 16. \_\_\_\_ Since the power of attorney does not appear in the original declaration, a copy of the power in the prior application is enclosed.
- 17. X Please address all correspondence to

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18 Recognize as associate	attorney
	Respectfully submitted,
	MCDERMOTT, WILL & EMERY
Date: $(2/l_i/s_1)$	Ву:
<u></u>	Michael E. Fogarty Registration No. 36,139
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